

### **Remarks**

This RCE is filed in response to the Final Office Action dated July 12, 2004 in which claims 1, 3, 6, and 8-11 were rejected under 35 U.S.C. §§ 102 and 103. Specifically, claims 1, 3, 6, 8, and 9 were rejected under 35 U.S.C. § 102 in view of U.S. Patent No. 3,483,859 to Pittman, and claims 10 and 11 were rejected under 35 U.S.C. § 103 in light of Pittman. Claim 1 was amended. Reconsideration of the pending claims in light of the amendment and in view of the remarks below is respectfully requested.

#### **Claims 1, 3, 6, 8 and 9**

Claim 1 has been amended to recite specifically that the shroud is disposed around the shaft and extends "beyond both the distal end of said inner component and the distal end of said shaft." (emphasis added). This limitation is neither taught nor suggested in any known prior art, especially Pittman.

Pittman specifically shows its shroud ending well before the end of its tube. No part of the shroud extends beyond the inner component and the distal end of the shaft. This fact is acknowledged in the Office Action of July 12, 2004, in which it states: "[t]he cover/shroud 26 [of Pittman] does not extend beyond the distal end of the shaft 11 . . . ." Because claim 1 now recites this limitation, claim 1 is believed to be allowable over the art of record.

Because claims 3, 6, 8, and 9 all depend ultimately from claim 1, they too are in condition for allowance for at least this reason.

#### **Claims 10 and 11**

Preliminarily, it is noted that claims 10 and 11 both depend ultimately from claim 1, which, as noted above, is allowable. For at least this reason claims 10 and 11 are both allowable.

Secondly, the Examiner has stated in the July 12, 2004 Office Action that "a hemostatic fabric with reinforcing fibers being polyester or nylon is well known in the art." The Examiner is requested to provide and cite a suitable reference from the prior art to support this position.

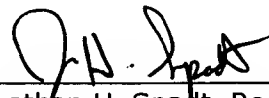
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Conclusion

For the reasons stated above, claims 1, 3, 6, 8, and 9-11 are believed to be in condition for allowance. Early and favorable notification to this effect is respectfully requested.

Respectfully submitted,



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